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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LONSBERRY, HUNTER B

ART UNIT

PAPER NUMBER

2611

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/707,720

Applicant(s)

TAKADA ET AL.

Examiner

Hunter B. Lonsberry

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 8/24/04 have been fully considered but they are not persuasive.

Applicant argues that Stahl fails to disclose transmitting a request from a first to a second device to mount a connection management function, including a request for executing the connection management for data transmission between the transmitting device and the receiving device, when the first device for carrying out connection management does not mount a corresponding connection management function (response page 8).

Regarding applicant's argument, the examiner has cited new portions of Stahl to address the new limitations of transmitting "a request form a first device to a second device to mount a connection management function "(column 3, line 58-column 4, line 29, column 6, lines 8-19), and "when the first device for carrying out connection management does not mount a corresponding connection management function" (asynchronous acknowledgements , column 3, lines 22-26).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

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by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-9 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,665,020 to Stahl.

Regarding claim 1, Stahl discloses a method of transmitting data from a transmitting device to a receiving device through a pre-determined network (figure 2), the method comprising:

Transmitting a request (asynchronous and isynchronous read requests) from a first device (DTV on IEEE 1394 network) to a second device (DVCR) to mount a connection management function form a plurality of connection management functions (column 3, line 58-column 4, line 29, column 6, lines 8-19), said request for executing the connection management for data transmission between the transmitting device and the receiving device (column 5, lines 8-14, column 8, lines 1-53),

Wherein the first device for carrying out connection management for data transmission between the transmitting device and the receiving device does not mount

a corresponding connection management function and has been notified by the second device that the second device mounts the corresponding connection management function (asynchronous acknowledgements , column 3, lines 22-26).

Regarding claim 2, Stahl discloses an IEEE1394 network which routes commands to devices on the network, transaction layer 22 and IRM 26 allocate and de-allocate isynchronous resources, such as channels and bandwidth (column 3, line 41-column 4, line 29).

Regarding claims 3 and 7, Stahl discloses an IEEE 1394 network in which remote control commands are received by a DTV 14, as DTV 14 can not perform the associated command, the associated command is relayed to a device which can perform a command, such as DVCR 12 such as a channel up or down command, or play command, which would result in programming being displayed on DTV 14 (column 3, line 41-column 4, line 4, column 8, lines 1-27, column 9, line 21-column 10, line 11).

Regarding claim 5, Stahl discloses an IEEE1394 network which routes commands to devices on the network, transaction layer 22 and a processor (IRM 26) allocate and de-allocate isynchronous resources, such as channels and bandwidth (column 3, line 41-column 4, line 29).

Regarding claim 6, Stahl discloses a transmission control device connected to a predetermined work for controlling a data transmission on the network (figures 2, 3), the method comprising:

A notification section (transaction layer 22) for notifying another transmission control device (DTV) on the network of connection management functions mounted in said transmission control device (column 3, lines 41-54, line 58-column 4, line 29, column 6, lines 8-19)

A receiving section (transaction layer 22) for receiving a connection setting request from another transmission control device (DTV, column 3, lines 41-54), said request including a request needed to manage data transmission between a transmission device and a receiving device (column 3, line 58-column 4, line 29, column 6, lines 8-19), wherein a corresponding connection management function is not mounting in another transmission control device but mounted in the said transmission control device (asynchronous acknowledgements , column 3, lines 22-26),

And a connection managing section (IRM 26, column 3, line 55-column 4, line 30) for executing connection management between the transmitting device and the receiving device based on the connection setting request.

Regarding claims 8 and 9, Stahl discloses an IEEE1394 network, which utilizes a self describing data structure via Self Description Device tables which describe the device type of each device (column 13, lines 22-27) and information about the display capabilities of each device (column 13, lines 18-50), this data is provided to each device

on the IEEE 1394 bus and facilitates the control of devices by other devices (column 14, lines 53-59).

Regarding claim 11, Stahl discloses an IEEE1394 network, which routes commands to devices on the network.

Stahl does not disclose graphical icons, which represent the transmitting and receiving device.

The examiner takes official notice that the use of icons to represent devices on a network is notoriously well known in the art. For example, in Microsoft windows, when a user accesses a network of devices via a topology map "Network Neighborhood" and copies a file, a graphical representation of the source computer and the target computer is displayed onscreen. A graphical network interface provides an user-friendly way to transport files and access functions on other computers.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Stahl to utilize icons representing the transmitting and receiving devices in order to provide a user with an easily navigable interface to control the devices on the network.

### ***Allowable Subject Matter***

3. Claim 10 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 703-305-3234. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 703-305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HBL

  
CHRIS GRANT  
PRIMARY EXAMINER